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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,543	02/02/2001	Shunpei Yamazaki	12732-012001 / US4638	8040

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EXAMINER

MANDALA, VICTOR A

ART UNIT PAPER NUMBER

2826

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/773,543

Applicant(s)

YAMAZAKI ET AL.

Examiner

Victor A. Mandala Jr.

Art Unit

2826

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 and 45-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1-37 is/are allowed.
- 6) ☒ Claim(s) 45-49 and 51 is/are rejected.
- 7) ☒ Claim(s) 50 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/13/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Upon further search and reconsideration the examiner retracts the previous notice of allowance and rejects claims 45-49 and 51.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 45-49 & 51 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S.

Patent No. 5,153,685 Murata et al.

2. Referring to claim 45 a semiconductor device comprising: a semiconductor layer, (Figure 3 #4B), and at least one electrode, (Figure 3 #7), adjacent to said semiconductor layer, (Figure 3 #4B), with a first insulating film, (Figure 3 #6, 8, & 11), interposed therebetween; a source wiring, (Figure 3 #21a, b, &c), formed on said first insulating film, (Figure 3 #6, 8, & 11); a second insulating film, (Figure 3 #22a, b, c), covering at least said at least one electrode, (Figure 3 #7), and said source wiring, (Figure 3 #21a, b, &c); and a gate wiring, (Figure 3 #23), formed over said second insulating film, (Figure 3 #22a, b, &c), and electrically connected, (Col. 20 Lines 45-58), to said at least one electrode, (Figure 3 #7).
3. Referring to claim 46, a semiconductor device, wherein said gate wiring, (Figure 3 #23), overlaps a portion of said semiconductor layer, (Figure 3 #4b), containing at least a channel, (Figure 3 area between #s 9 & 13), formation region.

Art Unit: 2826

4. Referring to claim 47, a semiconductor device, wherein said at least one electrode, (Figure 3 #7 Col. 16 Lines 4-8), and said source wiring, (Figure 3 #21a, b, &c and Col. 19 Lines 34-36), comprise a same material.

48. Referring to claim 48, a semiconductor device, wherein a material of said gate wiring, (Figure 3 #23), comprises one or a plurality of elements selected from the group consisting of poly-si, W, Wsix, Al, Cu, Ta, Cr and Mo, (Col. 21 Lines 23-31 & 43-45).

5. Referring to claim 49, a semiconductor device, wherein said first insulating film comprises a gate insulating film, (Figure 3 #6).

6. Referring to claim 51, a semiconductor device, wherein said semiconductor device is one selected from the group consisting of a personal computer, a video camera, a portable information terminal, a digital camera, a digital video disk player, a portable telephone, an electronic book, a projector, a head mounted type display, and an electric game appliance, (Col. 1 Lines 10-37).

Allowable Subject Matter

7. Claim 50 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Claims 1-37 are allowed.

Art Unit: 2826

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor A. Mandala Jr. whose telephone number is (571) 272-1918. The examiner can normally be reached on Monday through Thursday from 8am till 6pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

NATHAN J. FLYNN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VAMJ
2/4/05